5-10-04



PATENT

Attorney Docket No. (0320-0020) HOOV 120

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael D. Hooven

Serial No.: 10/015,476

Filed: December 13, 2001

Group Art No.: 3739

Examiner: Rosiland S. Rollins

For: TRANSMURAL ABLATION DEVICE

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Date of Deposit June 9, 2004

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NAME Renee Barthel

SIGNATURE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

### EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

)

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the document listed on the attached form, which the document may be material to the examination of this application. A copy of the document is enclose herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any

disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the document discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Information Disclosure Statement is being mailed before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114. Accordingly, a fee is <u>not</u> required for the filling of this information disclosure under 37 C.F.R § 1.97(b)(4).

In addition, the cited information was first called to Applicant's attention in an Office Action dated June 4, 2004 in related Application Number 10/327,831 filed on December 23, 2002. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this information

disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under §1.17(p) is not required for the filling of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required. (A duplicate of this document is enclosed herewith.)

Date: June 9, 2004

Respectfully submitted,

Gary W. McFarron, Esq.

Registration No. 27,357

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PTO/SB/08A (04-03)

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Substitute for form 1449/PTO

Sheet 1

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

 Complete if Known

 Application Number
 10/015,476

 Filing Date
 December 13, 2001

 First Named Inventor
 Michael D. Hooven

 Art Unit
 3739

 Examiner Name
 Rosiland S. Rollins

 Attorney Docket Number
 0320-0020 (HOOV 120)

			U. S. PATEN	T DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	<sup>US-</sup> 6,692,491	02-17-2004	Phan	
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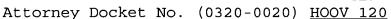
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3 -</sup> Number <sup>4 -</sup> Kind Code <sup>5</sup> ( <i>if known</i> )	MM-DD-YYYY		Or Relevant Figures Appear	T <sup>6</sup>

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Examiner: Rosiland S. Rollins )	SIGNATURE BALL
For: TRANSMURAL ABLATION DEVICE )	SIGNATURE SAFE

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- 2. Eighth Supplemental Information Disclosure Statement
   (in duplicate 3 sheets);
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- 4. Certificate of Mailing (1 sheet);
- 5. U.S. Patent Publication (1); and
- 6. Return Receipt Postcard.

Name:	Renee Barthe	1/
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Signature:	Jones.	1) 100



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June 9, 2004

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#### **Application Number** 10/015.476 TRANSMITTAL December 13, 2001 **Filing Date FORM** Michael D. Hooven **First Named Inventor** (to be used for all correspondence after initial filing) Group Art Unit 3739 **Examiner Name** Rosiland S. Rollins (HOOV 120) 0320-0020 Attorney Docket Number Total Number of Pages in This Submission **ENCLOSURES** (check all that apply) After Allowance Communication **Assignment Papers** Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Licensing-related Papers Appeal Communication to Group Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition After Final **Proprietary Information** Petition to Convert to a Second Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please Extension of Time Request identify below): Terminal Disclaimer 1 Patent Publication Express Abandonment Request - Certificate of Mailing Request for Refund - Return Receipt Poscard - PTO/SB/08A (1 sheet) Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ By U.S. Postal Service Express Mail Incomplete Application Label No. EV322848454 US Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357) Individual name Signature Date June Ø, 2Ø04 **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as XICT VIDENTAL mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: June 9, 2004 Typed or printed name Renee Barthel Signature Date

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